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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,934	11/09/2001	Chojiro Kuriyama	10921.90USD1	4795

7590

02/26/2003

Attention of Douglas P. Mueller  
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EXAMINER

NGUYEN, HA T

ART UNIT

PAPER NUMBER

2812

DATE MAILED: 02/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/008,934

Applicant(s)

KURIYAMA, CHOJIRO

Examiner

Ha T. Nguyen

Art Unit

2812

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 19-27 is/are pending in the application.
- 4a) Of the above claim(s) 19-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/580,344.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Applicant's election without traverse of Group I, claims 1-11, in Paper No. 6 is acknowledged.

Claims 19-27 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b) as being drawn to a non-elected invention. Election was made **without** traverse in Paper No. 6.

### *Claim Objections*

2. Claims 1-11 are objected to because of the following informalities: in claim 1, lines 16 and 18, and in claim 4, lines 2 and 5, deletion of "either" is suggested for correctness. Appropriate correction is required.

Claims 2-11, variously depend from claim 1, they are objected to for the same reason.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 4-9, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Uemura (U. S. Patent 4497105).

[Claim 1] Referring to Figs. 1a-9 and related text, Uemura discloses a solid electrolytic capacitor comprising: a capacitor element 12 having an anode (see Fig. 8, upper portion with a projection) and a cathode (lower portion); a base sheet member 22 having an obverse surface for mounting the capacitor element and a reverse surface opposite to the obverse surface; a protection package 44 formed on the obverse surface of the sheet member to enclose the capacitor element, the package having a first side surface adjacent to the anode of the capacitor element and a second side surface opposite to the first side surface; a conductive outer anode layer 32 electrically connected to the anode of the capacitor element; and a conductive outer

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cathode layer 32 electrically connected to the cathode of the capacitor element; wherein the outer anode layer is formed on at least one of the package and the sheet member, the outer cathode layer being formed on at least one of the package and the sheet member;

[Claim 2] further comprising an upper sheet member 42 for shielding the capacitor element, the capacitor element being arranged between the base sheet member and the upper sheet member (see Fig. 8);

[Claim 4] wherein the outer anode layer is formed on at least one of the first side surface of the package and the reverse surface of the base sheet member, the outer cathode layer being formed on at least one of the second side surface of the package and the reverse surface of the base sheet member (see Fig. 8);

[Claim 5] wherein the anode is exposed at the first side surface of the package to come into contact with the outer anode layer (see Fig. 8);

[Claim 6] further comprising a metal piece 18 attached to the anode of the capacitor element, the metal piece being exposed at the first side surface of the package to come into contact with the outer anode layer (see Figs. 6a and 8);

[Claim 7] further comprising a metal piece attached to the anode of the capacitor element and an anode connection layer 36 formed on the obverse surface of the base sheet member, the anode connection layer being connected to the metal piece and exposed at the first side surface of the package to come into contact with the outer anode layer (see Fig. 6a);

[Claim 8] further comprising a metal piece attached to the anode of the capacitor element and an anode connection layer 36 formed on the obverse surface of the base sheet member, the metal piece being connected to the anode connection layer, the base sheet member being formed with a through-hole for connecting the anode connection layer to the outer anode layer (see Figs. 5c and 6a);

[Claim 9] further comprising a cathode connection layer 36 formed on the obverse surface of the base sheet member and connected to the cathode of the capacitor element, the cathode connection layer being exposed at the second side surface of the package to come into contact with the outer cathode layer (see Fig. 5c); and

[Claim 11] ] further comprising a cathode connection layer 36 formed on the obverse surface of the base sheet member and connected to the cathode of the capacitor element, the base

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sheet member being formed with a through-hole 26 for connecting the cathode connection layer to the outer cathode layer (see Fig. 5c).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Uemura in view of Su (U.S. Patent 4814946).

Uemura discloses substantially the limitations of claim 3, as shown above.

But Uemura does not disclose expressly wherein the package is formed with an at least partially slanted portion .

However, the missing limitation is well known in the art because Su discloses this feature (see Fig. 3).

A person of ordinary skill is motivated to modify Uemura with Su to clearly make the distinction in appearance between the two ends of the capacitor avoiding error in connection when the capacitor is used .

Therefore, it would have been obvious to combine Uemura with Su to obtain the invention as specified in claim 3.

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Uemura in view of Hasegawa et al. (U.S. Patent 5390074, hereinafter "Hasegawa").

Uemura discloses substantially the limitations of claim 10, as shown above.

But it does not disclose expressly a cathode bump arranged on the cathode of the capacitor element, the cathode bump being exposed at the second side surface of the package to come into contact with the outer cathode layer.

However, the missing limitation is well known in the art because Hasegawa discloses this feature (see Fig. 1, #19).

A person of ordinary skill is motivated to modify Uemura with Hasegawa to obtain a well centered capacitor ensuring a good protection of the capacitor element.

Therefore, it would have been obvious to combine Uemura with Hasegawa to obtain the invention as specified in claim 10.

### *Conclusion*

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ha Nguyen whose telephone number is (703)308-2706 . The examiner can normally be reached on Monday-Friday from 8:30AM to 6:00PM, except the first Friday of each bi-week.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Niebling, can be reached on (703) 308-3325. The fax phone number for this Group is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



Ha Nguyen  
Primary Examiner  
02-18 - 03